

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

GENE T. FAVORS #159735,

Plaintiff,

Case No. 2:16-CV-33

V.

HON. GORDON J. QUIST

DAVID M. LEACH, et al.,

Defendants.

ORDER ADOPTING
REPORT AND RECOMMENDATION

On December 28, 2017, Magistrate Judge Greeley issued a Report and Recommendation (R & R) recommending that the Court deny Defendants' motion to dismiss pursuant to Fed. R. Civ. P. 37(d). The R & R was duly served on the parties on December 28, 2017. No objections have been filed pursuant to 28 U.S.C. § 636(b). Therefore the Court will adopt the R & R.

Therefore,

IT IS HEREBY ORDERED that the December 28, 2017, Report and Recommendation (ECF No. 112) is **ADOPTED** as the Opinion of the Court.

IT IS FURTHER ORDERED that Defendants' Rule 37(d) Motion to Dismiss (ECF No. 99) and Defendant Gugin's Motion for Joinder in the Rule 37(d) Motion (ECF No. 106) are **DENIED**.

Dated: March 2, 2018

/s/ Gordon J. Quist
GORDON J. QUIST
UNITED STATES DISTRICT JUDGE